

HUMAN RIGHTS AND INTERNATIONAL LENDING

The Advocacy Experience of the Taskforce on the Churches and Corporate Responsibility*

I. INTRODUCTION

I shall outline the attempts made by the members of the Taskforce to find ways for Canadians to promote international human rights and social justice that would be complementary to efforts already made through United Nations channels. Rather than following a theoretical framework, our attempts resemble more a slow groping for those leverages that appeared appropriate to the churches at specific periods. All our attempts arise from the special responsibility of the churches for people who suffer under repressive regimes.

It will be quickly apparent that many areas of repression are not addressed, nor can the Taskforce claim to have exhausted all possible avenues of available leverage. The examples I shall describe seem to lend themselves particularly and acutely to an examination about whether the promotion of basic human rights should be a legitimate concern of international lending institutions.

I shall discuss this in the context of international lending to four governments: Chile, El Salvador, Guatemala and South Africa. The governments have in common that each has been subject to repeated condemnatory resolutions in the United Nations Human Rights Commission (UNHRC) and in the United Nations General Assembly. Canada has supported these. Thus, there is no doubt that Canada has officially recognized these four countries as gross and systematic violators of human rights.

*A paper presented by Renate Pratt, Co-ordinator, to the 24 May 1984 Workshop of the Human Rights Working Group of the Development Studies Programme of the University of Toronto.

I shall begin with bilateral funding institutions, related to private banks and the Export Development Corporation, a crown agency, before exploring the role of multilateral financial institutions.

II. BILATERAL FINANCIAL INSTITUTIONS

A. Private Banks - Loans to Chile

Early efforts of the Taskforce concerned the impact of private loans made to the South African government and its agencies. Here we have had some limited success. Two major private banks have publicly acknowledged that loans made to this regime can constitute support for its system of apartheid, universally condemned as a gross and consistent violator of human rights.

I have chosen to examine here the case of private bank loans to Chile, where Church intervention has had no effect.

The repression which followed the 1973 coup d'état, when the extent of repression in Chile prompted a decline of credits from official government sources and international financial institutions, private banks became the single most important source of credits for the Chilean junta. Conservative calculations, based only on public data available to us, suggest that between 1976 and 1982, the big five Canadian banks* participated in consortia loans to Chile amounting to \$(US) 2,231 billion, contributing to Chile's present international debt of approximately \$(US) 23 billion.

*The Royal Bank of Canada, the Canadian Imperial Bank of Commerce, the Bank of Montreal, the Toronto Dominion Bank and the Bank of Nova Scotia.

Although members of the Taskforce did not at the time have the benefit of Stanley Hoffman's counsel,* that private enterprises and banks can be pivotal in pressing for a human rights policy, they recognized early on that the lending enthusiasm of Canadian and other banks were at least as instrumental in helping General Pinochet to ride out the first wave of international outrage, as were his instruments of repression. From 1976 on, we pleaded unsuccessfully with the big five banks in private and during annual shareholder meetings, to consider Chile's human rights violations when loan decisions were made and to review the social cost exacted as the regime moved to implement its hard-line monetary policies.

Hoffman says "private groups can sometimes be more effective in raising issues and consciousness, and even achieving results". If Hoffman means "private groups" such as ours, we were singularly unsuccessful; if he means "private groups" such as the banks, far from raising issues of consciousness, they were furious. In their view, they were doing nothing illegal and were politically neutral. In any case, they argued, Chile's economic policies were on the right track at last, and were going to benefit the poor - all evidence to the contrary notwithstanding.

The banks refused to acknowledge their participation even in loans that had been publicly reported. Hence no discussion could take place about the benefit any one of these loans may or may not have had for the

*Stanley Hoffman, Duties Beyond Borders, On the Limits and Possibilities of Ethical International Politics, Syracuse University Press, 1981, p. 131.

people of Chile. The idea that private banks, whose loans were much coveted by the Chilean junta, could make respect for human rights a condition of lending, was totally alien to the banks. They viewed such a suggestion as meddling in foreign affairs.

Yet it seemed clear that in both pre- and post-coup Chile, international finance played no small political role, both in the fall of the former and in the survival of the present regime. Our concern was that this role should be a conscious one and that it should be used to promote a respect for human rights.

B. Revision of the Canadian Bank Act.

An opportunity to work further in the area of foreign lending by private banks came with the revision of the Canadian Bank Act in 1978. Members of the Taskforce decided to inject themselves into the proceedings. The proposal we advanced did not directly address the issue of human rights. Instead, it had asked for legislation requiring greater access to information about private lending to foreign governments. Specifically, we proposed to the Standing Committee on Finance, Trade and Economic Affairs that the government should make obligatory the disclosure of all sovereign loans above a minimum of \$1 million.

We argued that under certain circumstances international private loans can be more important than foreign policy pronouncements of the Canadian government. Private loans to the governments of Chile and South Africa were cited as illustrating this point. We suggested that without such disclosure, neither parliament nor the government could have an overview about the extent to

which its policies towards foreign countries might be influenced and at times distorted by the important activities of private banks.

The banks had advised on numerous occasions that if the churches wished for greater disclosure in foreign lending, we should seek legislative changes in this respect. They followed the parliamentary proceedings with some alarm and lobbied against our proposal. There was no need for their alarm, the Standing Committee did not recommend our proposal for legislation.

It is only now, as the international debt crisis is upon us, that greater disclosure is being required of the banks - but not for the reasons advanced by the churches nor to the extent we had requested.

C. The Export Development Corporation (EDC)

Members of the Taskforce had also become aware of the important role played by the Export Development Corporation (EDC) in assisting Canadian investment in countries that are gross and systematic violators of human rights. In 1976 the EDC had provided foreign investment guarantees for Canadian corporate investment in Chile.

In 1977 members of the Taskforce presented a brief to the Standing Committee on Finance, Trade and Economic Affairs, to seek to secure from the EDC greater disclosure about its foreign investment insurance activity. The Taskforce had noted that the Act governing the EDC provides that the EDC may not enter into a contract for investment insurance

in respect of any investment in a foreign country that will not provide economic advantages to Canada or contribute to the economic growth and development of the country in which it is made.

[Export Development Act, Article 34 (2 (a))]

We argued then as we do today that essential to "development" is a betterment of the conditions of the under-privileged. Our 1977 brief concerning the EDC stated that such development did not take place in a country where gross and systematic violations of human rights take place. Whatever "development" occurs in such a country serves merely to benefit and to sustain the authorities in power. We therefore urged the Standing Committee to recommend that EDC investment guarantees be prohibited for any investment in countries which the Canadian Government has recognized to be gross and systematic violators of human rights.

I need hardly to say that we were no more successful with this attempt than with the previous ones. It should be recorded however, that the EDC in response to pressure from External Affairs, suspended export credits to South Africa in 1982. (It continues to provide export guarantees for Canadian exporters to South Africa). The suspension of one of its facilities for South African users is noteworthy. It suggests recognition that there are exceptional cases of human rights offenders where moral convictions can override purely economic considerations.

III. HUMAN RIGHTS AND INTERNATIONAL FINANCIAL INSTITUTIONS.

More recently we have advocated the inclusion of human rights criteria as co-determinants in the decisions of international financial institutions.

A. International Monetary Fund Credits to South Africa.

Late in 1982, and before the Canadian Executive Director of the International Monetary Fund (IMF) had approved a \$(US) 1.07 billion credit for South Africa,

we wrote to the Minister of Finance and to the Secretary of State for External Affairs. We requested that the inhumane system of apartheid be considered a major impediment to unconditional approval of the country's credit application.

In their responses, the Ministers rejected our request. The Minister of Finance wrote "the IMF must be careful not...to be accused of meddling in the internal affairs of sovereign states".

This response was particularly puzzling in view of the powerful role the IMF is meant to play in country after credit seeking country, where the IMF requires detailed observances of economic measures as conditions for credit approval. Why should South Africa be exempt from the usual scrutiny and conditions applied to other nations?

The Secretary of State for External Affairs replied that "...so long as South Africa adheres to the articles of agreement of the IMF and the loan meets normally applied criteria, Canada would not oppose the loan requested...". The response of the Secretary of State was undercut when subsequent to the South African credit decision, an IMF staff report disclosed that there were serious deficiencies in the South African economy due to the apartheid system.* The report was critical of "labour market regulations", "impediments to the geographic mobility of black workers", and "the system of short-term migrant labour contracts". It described these deficiencies as "based on non-economic considerations". The staff report also criticized the unequal and underfinanced system of black education, a situation

*International Monetary Fund, South Africa, Staff Report for the 1983 Article IV Consultation and Review under Stand-By Agreement, 19 May 1983.

it said, that was detrimental to the maximum utilization of South Africa's manpower resources. Non-IMF terminology would have named the various pillars of apartheid captured in this criticism: the Group Areas Act, the "home'ands" policy, the pass laws, the black education system. They precisely represent the kind of economic inefficiencies due to state interference in the market economy, that are often cited as grounds to withhold IMF credits until these interferences are removed.

The point being made here is important. IMF staff provided the Executive Board with the grounds to refuse a credit application from South Africa consistent with conventional IMF policies. Canada disregarded these despite the fact that South Africa did not meet "normally applied IMF criteria".

The debate about the IMF/South African loan had shifted notably from our request that the loan should not be made because of human rights violations, to the perhaps more comfortable ground that present IMF rules had been disregarded. While our request had been dismissed, we gained in the course of our research and correspondence, valuable insight into the "political neutrality" of IMF loan decisions.

B. IMF Credits to El Salvador.

A similar lesson was learned in 1981 when the IMF Executive Board approved a credit to El Salvador from its Compensatory Finance Facility. It approved the credit without providing the required balance-of-payments shortfall prediction. The IMF staff had refused to make such a prediction due to the uncertainty of the civil war and the resulting impossibility of predicting a rise in exports. The loan was controversial, but passed because of U.S. insistence. Canada supported the U.S. position. It was opposed by nearly all the

Executive Directors from Western Europe. Further Compensatory Finance Facility (US \$32.3 million) and Standby loans (US \$45 million) were made in July 1982.

An IMF mid-term review of El Salvador's economic performance was undertaken in mid 1983 and the last (US) \$17 million of the Standby loan was released. IMF staff again cautioned that contrary to program expectation, the situation in El Salvador had worsened because of the civil war and that no recovery in output was anticipated for 1983.

When the Taskforce contacted Canadian officials at the Department of Finance to seek an explanation for this unusual procedure, it was told that Canada, although concerned about El Salvador's economic performance, was content to give it the benefit of doubt.

As in the case of South Africa, political neutrality appears to have been abandoned. Technical rules were stretched or broken to permit a loan to a country recognized for its gross and systematic violations of basic human rights. Although we had learned about IMF rules and how they can be subject to political manipulation, the quest for criteria that address respect for human rights on its own terms remained elusive.

C. A Proposal to Establish Basic Human Rights Criteria as a Co-determinant of Canada's Voting Decisions in the IMF.

In 1983, members of the Taskforce decided to formulate a proposal that would establish basic human rights criteria as a co-determinant of Canada's voting decisions in the IMF. The occasion presented itself when legislation was prepared for approval by Parliament to augment Canada's IMF quota.

Benefitting from our previous experiences, we had learned the likely arguments against such a proposal and we were determined to get it right.

We began by examining Canada's public statements on human rights: its recently adopted Charter of Rights, its pronouncements in regard to the importance accorded to human rights in Canada's foreign policy and the various international instruments which Canada has affirmed and ratified, committing it to protect human rights. All of these make impressive reading and leave no doubt about Canada's commitment to promote human rights within its borders and beyond.

Yet there remained the problem about a definition that should be given to the term "human rights violations" for the purpose of our IMF proposal. We hoped to make it a precise, even narrow definition in order that it could be accepted and implemented by people of goodwill of a wide range of ideological convictions.

The Canadian government's use of the term was, we felt, too general as a guide for policy implementation. For example, in a 1983 speech given by the Secretary of State for External Affairs to the Canadian Human Rights Foundation, he stated "that it is entirely right and appropriate that we accord human rights its place as one of the main principles of Canadian foreign policy". Other concepts employed in this and other speeches refer to "gross violations of human rights" and to human rights practices that are regarded as "wholly repugnant to Canadian values". But none enlightened about the applicability of these concepts to special Canadian policy.

We found particularly helpful a review of an early and unsuccessful private member's bill, authored by David MacDonald, then a member of Parliament, which had attempted a more precise and applicable definition of basic human rights. We were also stimulated by a review of sections of the American Foreign Assistance Act which itemized the precise meaning of a country

designated as engaging "in a consistent pattern of gross violations of internationally recognized human rights". The Act provides legislators with restrictions in assistance that are to be followed in such cases.

In explaining the rationale for the Foreign Assistance Act to a 1982 Toronto Conference on the IMF and the World Bank, Jan Shinpoch, the American delegate, made the following comment: "I think we have to assume that it is safe to consider that all people in the world wish to be free from torture. All people in the world wish to be free from arbitrary arrest and free from extra-legal prosecutions."*

We thus decided to identify only those definitions of human rights without which existence is either not possible or unbearable. In using the "Universal Declaration of Human Rights" which Canada has affirmed (along with most nations of the world) and the "International Covenant on Civil and Political Rights" which Canada has ratified, we were able to single out identical articles in both documents that pertain to such very basic freedoms and rights. In this way, we arrived at what we felt, ought to be the minimum definition of internationally recognized violations of basic human rights acceptable to Canadians:

- a) arbitrary deprivation of life (international Covenant, Article 6; see also Universal Declaration, Articles 3 and 10);
- b) arbitrary arrest, detention, or exile (Universal Declaration, Article 9; International Covenant, Article 9);
- c) torture or cruel, inhuman or degrading treatment or punishment (Universal Declaration, Article 5; International Covenant, Article 7);

*Jan Shinpoch, Staff Director of the Sub-Committee on International Development Institutions and Finance for the U.S. House of Representatives, quoted in Banking on Poverty, The Global Impact of the IMF and the World Bank, ed. Jill Torrie, Between the Lines, Toronto, 1983, p.148.

- d) denial of the right to leave any country, including one's own, and to return to one's country (Universal Declaration, Article 13; International Covenant, Article 12);
- e) In the light of Canada's long record of opposing institutionalized racial discrimination in South Africa and because its enforcement shares these same features, we also included the practice of apartheid as a basic violation of human rights.

The proposal was sent to the Minister of Finance and to the Secretary of State for External Affairs. It included these definitions and the rationale for selecting them. We proposed:

that Canada oppose an application for the International Monetary Fund (IMF) from any government that is engaged in or that condones consistent and gross violations of basic human rights, for drawing and standby credits in excess of its gold tranche.

We also proposed that since observances of human rights are subject to change, human rights performances of critical countries should be subject to periodic review by the Canadian parliament. These reviews, we said, should also include a review of Canada's participation in IMF decisions. We concluded our proposal in the following terms:

In affirming unequivocally to guarantee Canadians rights under the "Charter of Rights and Freedoms", the Canadian Government has made a public declaration that such rights are part of Canada's value system. By ratifying the "International Covenant on Civil and Political Rights", Canada has extended that value system to its position in the international arena. It surely follows that these declarations enjoin Canadians not to divest themselves of these values when they participate in the deliberations of the IMF or other international financial institutions.

The responses from both the Minister of Finance and the Secretary of State for External Affairs were swift and firm. They rejected the proposal on the grounds that the IMF must maintain its "apolitical stance" to avoid undermining its effectiveness. Both Ministers assured the Taskforce that Canadian human rights concerns were expressed in other and more appropriate fora. MacEachen also vigorously defended Canada's approval of the IMF disbursements to South Africa and to El Salvador referred to earlier, as satisfying the IMF's economic criteria. We also received a letter from the President of the Canadian International Development Agency (CIDA), which was by far the most thoughtful. (A copy of this letter was sent to seminar participants.)

I would like first to respond to the argument of the Ministers that human rights criteria would introduce political considerations into an institution limited to economic criteria.

If it is a political act to withhold credits, it is also a political act to grant them. At the very least, the effects of such an important act have important political implications and consequences.

We do not believe, and our experience appears to demonstrate, that the IMF functions in the netherland where economics do not interact with politics. Just a month before MacEachen warned the Taskforce about the dangers that politics would pose to the smooth functioning of the IMF, he had given a speech to the Association of Southeast Asian Nations (ASEAN). In it he assured his audience that Canada would oppose all Vietnamese challenges to Kampuchea. "Canada", he said,

will not support in either bilateral programs or through multinational institutions the provision of economic assistance to Vietnam which would have the effect of subsidizing or rewarding Hanoi's continued military occupation of Cambodia. (Emphasis added)

Those who had protested Canada's support for the IMF loan to South Africa wondered why the Minister had not been moved to make a similar speech about South Africa's continued military occupation of Namibia.

But are human rights criteria the same as political criteria? The temptation is appealing to make this equation, then deny the admissability of political considerations in the IMF and dismiss human rights criteria on these grounds. Both Lalonde and MacEachen have opted for this technique. But it is wrong to label as political interference, the promotion of basic and universally accepted human rights. Political criteria imply a judgement about political systems of governments. There is nothing in the Taskforce proposal that implies that such judgements should be made. Rather, we had proposed that the decisions of the IMF ought to reflect and protect the degree of universal concern for human rights that has so far evolved. The IMF and other financial institutions, because of their significant influence could be a powerful protector of decent and basic standards of behaviour by states.

We do not accept that the protection of basic human rights - and lets spell them out - freedom from assassina-tion, from torture, from arbitrary arrest - should be interpreted as constituting political interference which would open the floodgates to all kinds of political issues as MacEachen fears. These human rights criteria could and should be added to the list of criteria that are already legitimately applied by the IMF in its inter-vention in the domestic policies of debtor nations.

D. The Inter-American Development Bank (IADB)

I would like to discuss Catley-Carlson's detailed response to the Taskforce's proposal on human rights

criteria in the context of Canada's role in the Inter-American Development Bank (IADB). The substance of her remarks refer to development oriented issues and the tensions that might be anticipated should human rights criteria be applied in project considerations in regional development banks or in the World Bank. She also discusses the problems that would be faced by Canadian Executive Directors in these institutions and the level of effectiveness Canadian insistence on human rights criteria would have.

Catley-Carlson grants that a case can be made for our proposal but cautions that this would only be justified "in the most extreme circumstances." She refers to such possible exceptions several times but does not explain the factors that would lead to such a judgement.

In our search for precedents that would provide insight into the government's assessment of what it considers extreme cases of human rights violator countries, we found only one: Uganda under Idi Amin. Here the Canadian Government judged that "the political and human rights considerations are of such an overriding importance that an exception would have to be made to our traditional policy."* Another concept, frequently quoted in government correspondence concerning the export of military equipment and technology, refers to an exception that is made in regard to countries whose practices are "wholly repugnant to Canadian values." We have been entirely unsuccessful in eliciting from government officials the identity of countries whose practices have in the past or are now wholly repugnant to Canadian values.

I noted at the outset that we have limited our discussion about more effective Canadian human rights promotion to four countries, South Africa, Chile, El Salvador and Guatemala, that have been officially recognized by

*Earl Drake, past Executive Director for Canada of the World Bank, quoted in Banking on Poverty, op. cit., p. 126.

Canada and the overwhelming number of United Nations members, as gross and systematic violators of human rights. We did this to avoid any dispute about the comparative severity of other human rights violators.

They are therefore countries which Canadians and the Canadian Government have judged to be "extreme cases". They should also qualify to be on Catley Carlson's list of exceptions. Their human rights violations are similar in severity to those of Uganda under Amin. They ought, as well, qualify as those countries "whose practices are wholly repugnant to Canadian values". Catley-Carlson referred to such exceptional cases, but by avoiding to discuss them she has disengaged herself from the discussion before it has begun.

Her support for the activities of international financial institutions is based on the conviction that they make important contributions to development and particularly to the development of the most disadvantaged sectors in the third world. She again allows that "it is always possible to find exceptions to this general rule". We have little quarrel with the general rule, but it is precisely the exceptions which need to be examined in a discussion about the merits of introducing basic human rights criteria into project decision making.

Having followed closely the nature and extent of violations of basic human rights in Guatemala and El Salvador, we are persuaded that development for the benefit of the most disadvantaged does not take place in these countries.

CIDA itself has suspended its bilateral projects in both countries because of the level of violence there. The Taskforce enquired from the Minister of Finance how, in his view IADB assistance could benefit development in countries where CIDA can no longer operate because

of the severity of human rights violations. Mr. Lalonde replied that a difference exists between CIDA projects and IADB projects. IADB financed projects, Mr. Lalonde said, were longer term, involved larger disbursements and would outlast any particular regime. Our enquiries suggest that the Minister is proposing a false distinction and that there are sizeable and long-term CIDA projects comparable to those of the IADB. In fact, the two IADB projects which had been the subject of this correspondence were of relative small size. We thus submit that if CIDA cannot fulfill its development mandate in these countries, one would be hard-pressed to argue that IADB projects administered by the repressive regimes themselves will benefit their victims. Yet this is exactly what has been argued.

In 1982, the Taskforce objected to Canada's approval of an IADB financed project to the Guatemalan government for the improvement of a rural telephone system. It was a project that had been opposed twice before by the U.S. Sub-Committee on International Development Institutions and Finance because it failed to meet its "basic needs requirement".

In response to the protest of the Taskforce, Canada's Minister of Finance assured us that particular care would be taken to "meet the needs of the poor". It was a grotesque suggestion, given the savagery of the Guatemalan military who had spent the previous months literally massacring the rural Indian population, destroying their dwellings and burning their crops. In this situation of extreme despair and oppression an improved telephone system served not the poor but the army.

Because of this very unbearable repression, Canada supported in 1982 and co-sponsored in 1983, United Nations resolutions condemning Guatemala for such gross and systematic violations of human rights. Canada had

in effect declared the regime "an extreme case". Why should Canada not treat it "as an extreme case" also when it considers an IADB project?

The same question should be asked about El Salvador. Canada supported a 1983 United Nations resolution condemning its regime for gross and systematic violations of human rights: another "extreme case". Yet Canada does not regard El Salvador as such when considering projects for El Salvador at the IADB. Indeed, Canada even plays down the technical questions that ought to be raised in regard to the implementability of projects in a situation of civil conflict.

This has not been the case in the past. In 1981, for example, Canada withheld support for construction of a rural road in Chaletenango, an area of conflict. Canada's Executive Director expressed the view that conditions were not sufficiently stable to guarantee implementation. In 1983, this position had shifted. Canada supported a series of IADB projects for El Salvador. One of these was for the reconstruction of the San Marcos bridge over the river Lempa, destroyed by El Salvador insurgents in 1981. The New bridge is to be built to military specifications. It will have concrete abutments and six concrete piers, a guard tower in the middle and checkpoints at either end as well as floodlight platforms to guard against water attack.

Bridges, hydro-electric installations and highways constitute major battle grounds in the civil war, but Canada raised no questions about the military implications or the implementability of the project. A month after Canada approved the San Marcos bridge project, the Cuscatlan bridge, a mere 50 km away was destroyed, surely an indication that in a civil war no predictions can be made about whether projects can be implemented and maintained.

For projects in El Salvador only the most transparent excuses can be constructed to pacify critics that they still serve the basic needs of the most disadvantaged. Hardly anyone still bothers.

To summarize, a few countries, extreme cases, have been identified by the Canadian Government as gross and systematic violators of human rights. These, including the countries I have discussed, have been publicly and internationally condemned at the United Nations. These countries are also the very exceptions to the general rule, referred to by Catley-Carlson, where neither CIDA nor the international financial institutions can effectively make a contribution to development. Our argument is that Canada should therefore oppose assistance to them from international financial institutions on the same grounds that it suspended such assistance to Uganda under Amin. To condemn these countries for their human rights violations that prevent development and then to grant them official development assistance is tantamount to telling the regimes we did not mean what we said at the United Nations. It means that we divest ourselves of one of the few instruments we have to effectively implement our commitment to promote human rights. It means also that we provide these regimes with an international respectability they do not merit, and that we break our covenant with their victims.

Catley-Carlson cautions that Canada does not command sufficient votes in the international financial institutions to determine the outcome of any particular project. It is true that these occasions are rare and Canada could not expect much success. Canada, to its credit has nevertheless spoken out, even when it could not block an American objection, in favour of a 1982 project for the completion of a road in Nicaragua. (It was such a celebrated occasion that it received much media attention in Canada). Nations

can be as important as they wish to be. A decision by Canada to apply consistently to those very few countries which have received our official condemnation, basic human rights criteria, may set a precedent for other like-minded states to follow.

This need not at all entail the number of complications envisaged by Catley-Carlson. It need not lead to formal voting procedures nor prevent the necessary compromises on all other project decisions. The application by Canada of human rights criteria will of course not change the nature of direct political influence that is already exercised by the United States. Catley Carlson fears that were Canada to opt for human rights criteria, it would no longer be in a position to soften this influence. However, it seems that Canada has in any case been singularly unsuccessful in minimizing American political influence and tends at times to yield to it.

It is difficult to imagine that were Canada to apply basic human rights criteria in "extreme cases" that the international financial institutions would come to a standstill, as Catley-Carlson warns. But if that were the case, it would be a wonderfully creative moment to sweep away the cobwebs and write a new charter that would exclude assassins and torturers from benefiting from the myth of purely economic considerations.